

08. 28-06 TFW 1614 #  
CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

EV747261705US

August 24, 2006

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By: Neely Jo Entwistle

Neely Jo Entwistle

PATENT

Customer Number 22,852

Attorney's Docket No. 09367.0018-06000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Jeffrey T. FINER et al.	)	Group Art Unit: 1614
Application No. 09/724,778	)	Examiner: Bruck KIFLE
Filed: November 28, 2000	)	
For: METHODS AND	)	Confirmation No. 9331
COMPOSITIONS UTILIZING	)	
QUINAZOLINONES	)	

**Mail Stop Amendment**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

Applicants enclose the following papers for filing in the above-referenced application:

- 1) Reply Pursuant to 37 C.F.R. § 1.111 (19 pages);
- 2) Information Disclosure Statement Under 37 C.F.R. § 1.97(c), including authorization to charge Deposit Account No. 06-0916 (2 pages);
- 3) PTO Form SB/08 (2 pages); and
- 4) Copies of twenty-four (24) documents.

The claims are calculated below:

	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra		
Total	33	-	36	0	x \$ 50	
Indep.	8	-	4	4	x \$200	\$800.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim(s)					+ \$360	
Subtotal						\$800.00
Reduction by 1/2 if small entity						-
TOTAL FEE						\$800.00

Please charge Deposit Account No. 06-0916 \$380.00 for the following fees:


- a. \$180.00 Information Disclosure Statement fee; and
- b. \$200.00 for 4 additional independent claims.

Please grant any further extensions of time required to enter these papers and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 24, 2006

By:   
Lauren L. Stevens  
Reg. No. 36,691

Tel: 650-849-6614  
Email: lauren.stevens@finnegan.com



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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p). Please charge the fee of \$180.00 to Deposit Account No. 06-0916.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

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Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

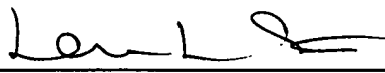
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

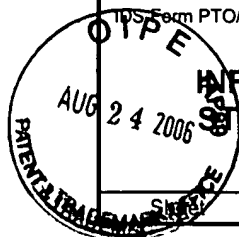
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 24, 2006

By:   
Lauren L. Stevens  
Reg. No. 36,691

Tel: 650-849-6614  
Email: lauren.stevens@finnegan.com



US Form PTO/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

1

of

2

**Complete if Known**

Application Number	09/724,778
Filing Date	November 28, 2000
First Named Inventor	Jeffrey Finer
Art Unit	1624
Examiner Name	Bruck Kifle
Attorney Docket Number	09367.0018-06000

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-2004-0254203-A1	12-16-2004	Finer et al.	
		US-2005-0187232-A1	08-25-2005	Finer et al.	
		US-7,009,049-B2	03/07/2006	Bergnes et al.	
		US-2006/0041130-A1	02/23/2006	Bergnes et al.	
		US-			
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		US-			
		US-			
		US-			

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.****FOREIGN PATENT DOCUMENTS**

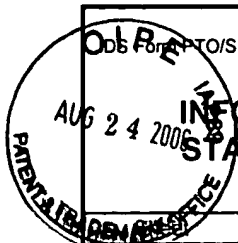
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO/01/74344 A2	10-11-2001	Curis, Inc.		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
	01	Notice of Allowance mailed October 17, 2002, for U.S. Patent Application No. 09/699,047, filed October 24, 2000.	
	02	Notice of Allowance mailed February 4, 2003, for U.S. Application No. 09/724,644, filed November 28, 2000.	
	03	Notice of Allowance mailed February 6, 2003, for U.S. Application No. 09/724,713, filed November 28, 2000.	
	04	Notice of Allowance mailed October 14, 2004, for U.S. Application No. 09/724,897, filed November 28, 2000.	
	05	Notice of Allowance mailed October 24, 2005, for U.S. Application No. 09/724,897, filed November 28, 2000.	
	06	Notice of Allowance mailed March 22, 2006, for U.S. Application No. 09/724,897, filed November 28, 2000.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

2 of 2

**Complete if Known**

Application Number	09/724,778
Filing Date	November 28, 2000
First Named Inventor	Jeffrey Finer
Art Unit	1624
Examiner Name	Bruck Kifle
Attorney Docket Number	09367.0018-06000

**NON PATENT LITERATURE DOCUMENTS**

07	Notice of Allowance mailed April 28, 2004, for U.S. Application No. 09/724,941, filed November 28, 2000.	
08	Office Action mailed December 20, 2005, for U.S. Application No. 10/893,929, filed July 20, 2004..	
09	Notice of Allowance mailed December 11, 2003, for U.S. Application No. 10/300,967, filed November 20, 2002.	
10	Office Action mailed April 4, 2005, for U.S. Application No. 10/366,828, filed February 14, 2003	
11	Notice of Allowance mailed July 26, 2005, for U.S. Application No. 10/366,828, filed February 14, 2003	
12	Office Action mailed April 19, 2006, for U.S. Application No. 11/254,211, filed October 20, 2005.	
13	Office Action mailed April 12, 2006, for U.S. Application No. 10/312,323, filed August 15, 2003.	
14	"Cytokinetics Announces Clinical and Non-Clinical Data on Ispinesib to be Presented at the 2005 AACR-NCI-EORTC International Meeting-Data from Two Phase Ib Combination Trials to be Presented," <i>Press Release</i> , Cytokinetics, Inc., 3 pages, (11/10/2005).	
15	"Cytokinetics Announces Clinical and Non-Clinical Results on Ispinesib at the 2005 AACR-NCI-EORTC International Meeting-Data from Two Phase Ib Combination Trials Presented," <i>Press Release</i> , Cytokinetics, Inc., 4 pages, (11/17/2005).	
16	"Cytokinetics Announces Interim Phase II Breast Cancer data for Ispinesib to be presented at San Antonio Breast Cancer Symposium," <i>Press Release</i> , Cytokinetics, Inc., 3 pages, (12/1/2005).	
17	"Cytokinetics Announces Presentation of Ispinesib data at San Antonio Breast Cancer Symposium- Anti-cancer Activity Supportive of Continuation of Phase II Clinical Trial," <i>Press Release</i> , Cytokinetics, Inc., 3 pages, (12/8/2005).	
18	"Cytokinetics Reports Data for Ispinesib (SB-715992) in Platinum-Sensitive Non-Small Cell Lung Cancer- Drug Candidate Does No Demonstrate Sufficient Anti-Tumor Activity to Proceed to Sage 2 in the Phase II Clinical Trial Drug Candidate Demonstrates Disease Stabilization in 50% of Patients," <i>Press Release</i> , Cytokinetics, Inc., 5 pages, (03/30/2006).	
19	"Cytokinetics and GlaxoSmithKline Announce Seven Presentations At The 2002 Annual Meeting Of The American Association for Cancer Research- Broad Alliance to Generate First IND in 2002," <i>Press Release</i> , Cytokinetics, Inc., 4 pages, (04/08/2002).	
20	"Cytokinetics Announces the Initiation of a Broad Phase II Clinical Trials Program in Oncology for SB-715992- Milestone Payment Triggered under Collaboration with GlaxoSmithKline," <i>Press Release</i> , Cytokinetics, Inc., 3 pages, (01/14/2004).	
21	"Cytokinetics Publication in Cancer Research Demonstrates Antitumor Activity of a Kinesin Spindle Protein (KSP) Inhibitor in a Preclinical Model- Preclinical Proof of Concept Emerges from Company's Research Efforts," <i>Press Release</i> , Cytokinetics, Inc., 3 pages, (05/03/2004).	
22	"Cytokinetics Announces Phase I Results for SB-715992 to be Presented at the 2004 Annual Meeting Of The American Society of Clinical Oncology," <i>Press Release</i> , Cytokinetics, Inc., 2 pages, (06/02/2004).	
23	"Cytokinetics Announces Phase I Results for the SB-715992 presented at the 2004 Annual Meeting Of The American Society of Clinical Oncology- Safety and Tolerability Profile of the SB-715992 Supports Initiation of Broad Phase II Program," <i>Press Release</i> , Cytokinetics, Inc., 3 pages, (06/07/2004).	
24	"Cytokinetics Announces the Initiation of an Additional Phase II Clinical Trial for Lead Cancer Drug Candidate- Company Provides Update on Clinical Trials Program for SB-715992 and SB-743921," <i>Press Release</i> , Cytokinetics, Inc., 4 pages, (12/16/2004).	

Examiner Signature		Date Considered	
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